

# TRANSLINK GROUP PRIVACY NOTICE FOR STAFF

**Translink consists of the Northern Ireland Transport Holding Company (NITHC) and its private subsidiaries. The Department for Infrastructure (DFI) oversees NITHC and NITHC is legally obliged to share information with the DFI.**

The Translink Group (“we”, “our” or “us”) is a data controller under the General Data Protection Regulation (GDPR) which means we are responsible for deciding how we hold and use personal information about you. We are committed to protecting and respecting your privacy. This privacy notice sets out the basis on which we process (i.e. collect, organise, store, use, access, retrieve, share, delete) your personal information throughout your working relationship with us.

This privacy notice applies to current and former employees, workers and contractors. It does not form part of any contract of employment or other contract to provide services. We may update the privacy notice at any time but if we do, we will provide you with an updated copy as soon as reasonably practical.

It is important that you read and retain this notice so that you are aware of how and why we are using such information and what your rights are under the data protection legislation.

## Data protection principles

We will comply with data protection law. This says that the personal information we hold about you must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

## Information we collect

Much of the information we hold will have been provided by you, but some may come from internal and external sources e.g. managers and referees. A non-exhaustive list of the personal information we process in the normal course of our HR functions is set out below:

### Information obtained at recruitment

- CV and/or application form;
- Personal and contact identification information;
- Immigration, right-to-work and residence status;
- Criminal record check results;
- Medical information;
- Fair employment monitoring records;
- Next of kin/emergency contact details;
- Psychometric test results;
- Outcome of any vacancies applied for;
- Interview notes; and
- Offer letter.

### Job offer/life cycle information

- Contract of employment;
- Bank details and payroll data, including benefits/tax credits received by you and salary information;
- New starter forms, which include staff and dependants' pass form and welfare fund form;
- Uniform and footwear records;
- Travel pass data (including photographs);
- Trade union deductions and authorisations;
- Driving license, MOT and vehicle insurance details;
- Drug and alcohol test results;
- Hours of work;
- Probation reviews;
- Appraisal records;
- Training records;
- Annual leave records;
- Absence and sickness records;
- Disciplinary and grievance records and investigations;
- Tribunal records;
- Welfare records;
- Reward statements;
- Family friendly requests and correspondence;
- Pensions forms and correspondence;
- Passport number in line with HMRC requirements.

### Monitoring information

- Racial group, community background, gender, age, and disability, pursuant to our statutory equality monitoring obligations (see special category data below).
- In-work screening (which could involve a medical check) to ensure your suitability for a role which involves the provision of public services;
- Computer, telephone, mobile telephone, internet use - as detailed in our Cyber Liability and Acceptable Use Policy; and
- Expenses – as detailed in our Expenses Policy.

### Job termination information

- Leaver forms;
- Resignation letters;
- Exit questionnaires;
- Entitlement to travel passes post termination;
- Pension information including termination details;
- Retirement letters and forms; and
- Voluntary exit scheme records.

We will collect additional personal information in the course of job-related activities throughout the period of you working for us.

You will, of course, come across many documents and records that are produced by you and your colleagues in the course of carrying out your duties at Translink. Please refer to our Data Protection Policy which is available on the intranet or from your line manager, as you are accountable for ensuring any processing of personal data is compliant with current data protection legislation.

During the course of your duties you may also be within scope of CCTV managed by Translink. Please refer to the CCTV policy which is available on the intranet for more information relating to CCTV.

## Special category (sensitive) data

Special categories of sensitive personal information require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal information. We have in place an appropriate policy document and safeguards which we are required by law to maintain when processing such data. We may process special categories of personal information in the following circumstances:

- In limited circumstances, with your explicit written consent.
- Where we need to carry out our legal obligations or exercise rights in connection with employment.
- Where it is needed in the public interest, such as for equal opportunities monitoring.
- Less commonly, we may process this type of information where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

We have a legal obligation to process special category data including the 9 Section 75 categories. This is to ensure compliance with equal opportunity monitoring and reporting pursuant to Section 75 of the Northern Ireland Act 1998 and Article 55 of the Fair Employment and Treatment (NI) Order 1998.

We may also process information relating to your health. This information is processed to assess your fitness to work (please refer to your contract and/or our Drug and Alcohol Policy), or in relation to a sickness absence (please refer to our Absence Policy).

The reason for this processing is to ensure compliance with our legal obligations, namely:

- To provide a safe working environment for our employees and customers;
- To administer company and statutory sick pay; and
- To ensure that any reasonable adjustments are made for you if necessary.

There may be other instances where we process sensitive personal data, for example, trade union membership. We will always obtain your explicit consent prior to processing such information unless this is not required by law; for example, the information is required to protect your health in an emergency.

### **Criminal offence data**

We may only use information relating to criminal convictions where the law allows us to do so, for example a criminal record check will be carried out during recruitment. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.

### **Automated decisions**

You will not be subject to decisions that will have a significant impact on you based solely on automated decision-making, unless we have a lawful basis for doing so and we have notified you.

### **Why we collect your information**

For the purposes of clarity, we process the above personal information for the following reasons:

- to enable us to fulfil our contractual obligations to you;
- to allow us to meet our legal obligations to you and to others;
- in our legitimate interests to administer our working relationship with you effectively; and
- to allow us to provide public passenger transport services.
- key payroll data and personal identifiers such as contact details may be provided to bodies responsible for auditing and administering public funds for the purposes of preventing and detecting fraud.
- We may also use your personal information in the following situations, which are likely to be rare:
  - Where we need to protect your interests (or someone else's interests); or
  - Where it is needed in the public interest or for official purposes.

If in the future we intend to process your personal data for a purpose other than that which it was collected we will update you accordingly, and if necessary obtain your consent to do so.

### **Who will your information be shared with**

In some instances, your information may be shared with third parties, in compliance with a legal obligation, for example:

- to HMRC;
- a contractual obligation to you e.g. to pension or health insurance schemes; or
- at your request, e.g. a reference provided to your mortgage company confirming your salary.

We may need to share your information with other companies within the Translink Group to enable effective provision of public passenger transport services, or as the DFI legally requires.

### **Security**

Our HR and payroll systems are protected to ensure that unauthorised or unlawful processing of personal information, accidental loss or destruction of, or damage to, personal information does not occur. This is done in accordance with our IT Security Policy.

### **Breach**

If we discover that there has been any unlawful or unauthorised processing of your personal information, or it has been lost, destroyed, or corrupted, we will follow our Cyber and Data Security Incident Management Protocol. All staff are required to follow this protocol in the event of any actual or reasonably suspected case of a breach. If the breach will result in a high risk of a negative impact for you, we will tell you and we will also notify the Information Commissioner.

### **How long do we keep your information for?**

Your information will be retained in accordance with our Retention and Disposal Schedule available on the staff intranet. Where there is no obligation on us to continue to hold your information, we will delete it securely.

### **Your rights**

You have various rights as an individual which you can exercise in relation to the information we hold about you, including rights of access, correction, restriction of processing, data portability and objection. You also have a qualified right to have personal data we hold about you erased. You can read more about these rights at <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>.

If you have provided consent for your data to be processed, you have the right (in certain circumstances) to withdraw that consent at any time. This will not affect the lawfulness of the processing before your consent was withdrawn. Once we have received notification that your consent has been withdrawn, we will no longer process your information for the purpose(s) you originally agreed to, unless we have another legitimate basis for doing so in law.

You also have the right to lodge a complaint about how your data is processed with the Information Commissioner's Office. We would be grateful if you would raise any issue which you have with us in the first instance so that we may assist you.

### **Changes to this notice**

Any changes we may make to this notice in the future will be posted on our intranet and an updated notice will be provided to all staff.

This notice was last updated on 4th November 2019.

### **Keeping your information up to date**

You need to help us to ensure that the information which we hold about you is up to date and correct so as soon as any details change (such as your address, phone numbers, email addresses, details of next of kin) you should tell us immediately.

### **Contact us:**

**Questions, comments and requests regarding this notice or the information that we collect from you can be addressed to our Data Protection Officer, Legal & Governance Department, 9th Floor, 22 Great Victoria Street, Belfast, BT2 7BJ or at [dpo@translink.co.uk](mailto:dpo@translink.co.uk).**